

EX PARTE OR LATE FILED

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

8 FEB 1993

ORIGINAL

Room 222
DOCKETS

IN REPLY REFER TO:
7330-777-740A3
RECEIVED

FEB 11 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable John R. Kasich
House of Representatives
1133 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Kasich:

This is in reply to your letter of January 27, 1993, in which you inquired on behalf of your constituent, John Markham, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

Mr. Markham is specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

No. of Copies rec'd 271
ABCODE

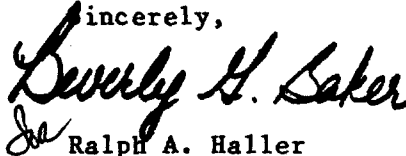
Honorable John R. Kasich

2.

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituent's concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due February 26, 1993, and Reply Comments are due April 14, 1993. We expect final rules to be issued near the end of 1993. We urge your constituent to file formal comments on all aspects of the proposals.

Sincerely,



Ralph A. Haller

Chief, Private Radio Bureau

Enclosures:

Notice

Discussion paper

Congressional

DUR: 2-9-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,
AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM
02/01/93

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300298	02/01/93	01/27/93	02/12/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Congressman	John Kasich	BC

CONSTITUENT'S NAME	SUBJECT
John Markham	info/comments on a docket

REF TO	REF TO	REF TO	REF TO
PRB/2-2-93	088		
DATE	DATE	DATE	DATE
02/01/93			

REMARKS:

RECEIVED
FEB 2 2 53 PM '93
PRIVATE
DO NOT WRITE
ON THIS CARD

JOHN R. KASICH
12TH DISTRICT, OHIO

MEMBER:
COMMITTEE ON ARMED SERVICES
SUBCOMMITTEES:
READINESS
PROCUREMENT AND MILITARY
NUCLEAR SYSTEMS
COMMITTEE ON THE BUDGET

PRB
Docket
298

Congress of the United States
House of Representatives
Washington, DC 20515-3512

1133 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-3512
(202) 225-5355

DISTRICT OFFICE:
200 NORTH HIGH STREET
SUITE 400
COLUMBUS, OH 43215
(614) 469-7318

January 27, 1993

Ms. Lou Sizemore
Office of Leg. Affairs
FCC
1919 M St., N.W.
Washington, D.C. 20554

Dear Ms. Sizemore:

Enclosed is a letter that a constituent of mine has asked that I forward to you concerning PR Docket 92-235. He is worried about the effects this proposal would have on radio-controlled model aircraft.

I would greatly appreciate it if you could ensure the concerns my constituent has raised are considered before the Commission takes final action on this docket.

Thank you in advance for your prompt attention to this matter.

Sincerely,


John R. Kasich
Representative to Congress

JRK/bc

RECEIVED
FEB 2 2 53 PM '93
PRIVATE

Sample Letter to FCC (from consumer)
Regarding FCC Rule Making

[Date]

1-26-93

Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

Dear Sirs:

It has recently come to my attention that the Federal Communications Commission (FCC) is considering an action that will severely limit and potentially eliminate a very important hobby of mine, radio controlled (R/C) model airplanes, helicopters, cars and boats.

Your Notice of Proposed Rule Making (NPRM) in PR Docket 92-235 replaces Part 90 of your rules with a new Part 88. Part 90 allows for safe use of R/C aircraft and surface models by keeping 10 Khz spacing between fixed commercial users and frequencies used by R/C enthusiasts. The new Part 88 will allow mobile users on frequencies within 2.5 Khz of frequencies available to us, eliminating safe use of at least 31 of the 50 channels on the 72 MHz band and 10 of the 30 frequencies on the 75 MHz band now used by hobbyists. In fact, more channels will likely be affected.

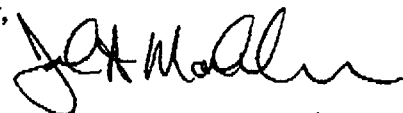
This action will have a severe, detrimental impact upon me and the entire R/C hobby industry. If put into effect, my airplane or helicopter could easily be shot out of the sky by a mobile user I'd have no way of knowing about. This creates a severe health hazard.

I have been involved in this hobby for 25 years. I own 8 radios and 12 model airplanes, helicopters, cars and boats. In addition, I have numerous engines, motors, chargers, field accessories and other products necessary to support my hobby. When you consider there are hundreds of thousands of other R/C hobbyists in the U.S. just like me, these proposed rule changes will affect a lot of people economically and in terms of enjoyment.

I urge you to reconsider this. Keep 10 Khz spacing between all frequencies on 75 MHz and 72 MHz bands available for safe use by R/C enthusiasts. Please don't eliminate this hobby that has grown tremendously over the past 30 years and has so much investment of money and enjoyment of people nationwide.

Thank you for your consideration.

Sincerely,



John MARKHAM

6012 E. Livingston AVE

Columbus Ohio

43232